

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re Patent Application of:

ORLITZKY, Anton., *et al.*

Serial No.: 10/563,791

Filed: July 7, 2004

For: REUSABLE FLUID DISPENSER

Customer No.: 27111

Confirmation No.: 2967

Group Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned

Docket No.: BFETH-1036832  
[formerly BFETH 1025789]

I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE WITH SUFFICIENT POSTAGE AS EXPRESS MAIL, LABEL NO. EQ 353609318 US, IN AN ENVELOPE ADDRESSED TO MAIL STOP MISSING PARTS, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 ON AUGUST 11, 2006.

*Wanda Alleje*

Wanda Alleje

**RESPONSE TO NOTIFICATION OF MISSING  
REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Mail Stop **MISSING PARTS**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In complete response to the Response to Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) dated April 11, 2006, enclosed please find:

- ☒ A Combined Declaration and Power of Attorney signed by the inventor(s):
  - ☐ Note that the inventor/inventors identified on the concurrently filed Combination Declaration and Power of Attorney is/are different than listed on the application filing papers.
- ☒ An Application Data Sheet;
- ☒ The surcharge of ☒ \$65.00 (2051) ☐ \$130.00 (1051) as set forth in 37 C.F.R. § 1.16(e); Charge \$65.00 (\$65.00 surcharge) to Deposit Account No. 50-1990 for the fee due for missing parts.
- ☒ Applicants hereby request an extension of time for two (2) months and include herewith the required fee of \$225.00 (2251) as set forth in 37 C.F.R. § 1.17(a)(1); Charge \$225.00 to Deposit Account No. 50-1990 for the fee due for missing parts.

Appl. No. 10/563,791  
Response dated August 11, 2006  
Reply to Missing Parts of April 11, 2006

- ☐ A verified English translation of the Application, and the \$130.00 (1053) fee as set forth in 37 C.F.R. § 1.17(k);
- ☐ A courtesy copy of the Assignment document;
- ☐ A certified copy of the priority document;
- ☒ A copy of the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US); and
- ☐ Other: Corrected replacement drawings.
- ☐ A check in the amount of \_\_\_\_\_ for the fee due for missing parts is enclosed.
- ☐ Charge \_\_\_\_\_ to Credit Card. Form PTO-2003 is attached.
- ☒ Small entity status is hereby claimed.

If the Examiner believes that it would facilitate prosecution, Applicants' Attorney, David R. Heckadon may be contacted at (415) 875-3266 or at [dheckadon@gordonrees.com](mailto:dheckadon@gordonrees.com).

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 50-1990 and please credit any excess fees to such deposit account. This paper is submitted in duplicate.

08/18/2006 ATRAN1 00000149 501990 10563791

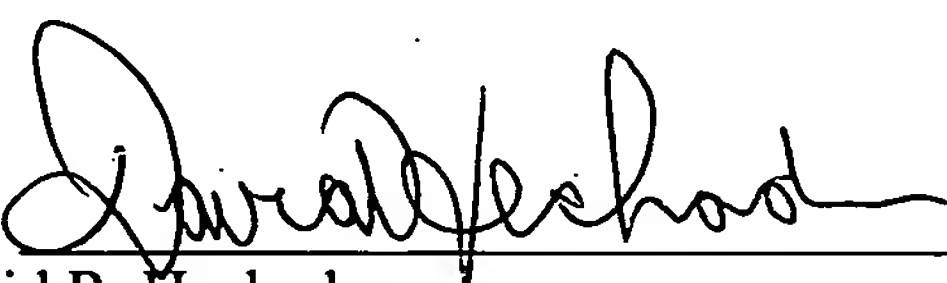
01 FC:2617 65.00 DA

08/18/2006 ATRAN1 00000149 501990 10563791

02 FC:2252 225.00 DA

Dated: August 11, 2006

Respectfully submitted,

By:   
David R. Heckadon  
Registration No. 50,184

**Please recognize our Customer Number 27111 as our correspondence address.**

David R. Heckadon  
GORDON & REES, LLP  
101 West Broadway, Suite 1600  
San Diego, California 92101-8217  
Phone: (415) 875-3266 (direct)  
Phone: (415) 986-5900 (main)  
Facsimile: (415) 986-8054  
Attorney Docket No. BFETH-1036832



08-14-08

COPY

Page 1 of 2

PCT  
\$

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/563,791	Anton Orlitsky	BFETH 1025789

INTERNATIONAL APPLICATION NO.
-------------------------------

PCT/CA04/00994

I.A. FILING DATE	PRIORITY DATE
07/07/2004	07/07/2003

Katherine Proctor  
Gordon & Rees  
101 West Broadway  
Suite 1600  
San Diego, CA 92101

docketed

RECEIVED  
APR 17 2006  
Gordon & Rees

CONFIRMATION NO. 2967

371 FORMALITIES LETTER



\*OC000000018494771\*

Date Mailed: 04/11/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 01/06/2006
- Copy of the International Search Report filed on 01/06/2006
- Copy of IPE Report filed on 01/06/2006
- Preliminary Amendments filed on 01/06/2006
- Small Entity Statement filed on 01/06/2006
- U.S. Basic National Fees filed on 01/06/2006
- Priority Documents filed on 01/06/2006
- Specification filed on 01/06/2006
- Claims filed on 01/06/2006
- Abstracts filed on 01/06/2006
- Drawings filed on 01/06/2006

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

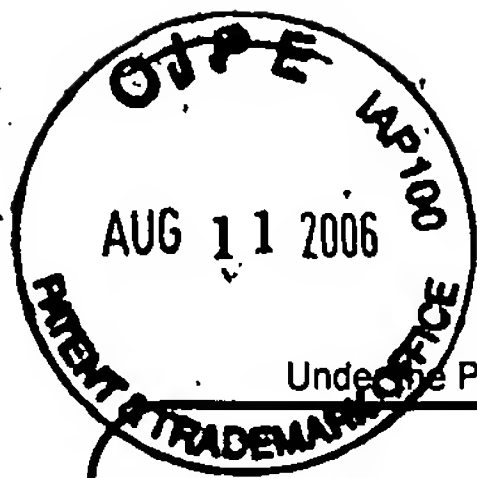
A copy of this notice **MUST** be returned with the response.

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/563,791	PCT/CA04/00994	BFETH 1025789



IAP15 Rec'd PCT/PTO 11 AUG 2006

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

**18**

Application Number

**10/563,791**

Filing Date

**January 6, 2006**

International Filing Date

**July 7, 2004**

First Named Inventor

**ORLITZKY, Anton**

Art Unit

**Not Yet Assigned**

Examiner Name

**Not Yet Assigned**

Attorney Docket Number

**BFETH-1036832 [formerly BFETH 1025789]****ENCLOSURES (Check all that apply)**☐ Fee Transmittal Form (in duplicate)☐ Fee Attached☐ Amendment/Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☒ Response to Missing Parts/  
Incomplete Application☒ Response to Notification of  
Missing Requirements  
under 37 CFR 371 in the U.S.  
DO/EO/US☒ Replacement Drawing(s) 8 sheets☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a  
Provisional Application☒ Combined Declaration & POA by  
Inventors☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) \_\_\_\_\_☐ Landscape Table on CD☐ After Allowance Communication to TC☐ Appeal Communication to Board  
of Appeals and Interferences☐ Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☐ Other Enclosure(s) (please identify  
below):

1. Application Data Sheet;
2. Copy of Notification of Missing Requirements under 37 CFR 371 in the U.S. DO/EO/US; and
3. Return Receipt Postcard

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

**GORDON & REES, LLP**  
[Customer No. 27111]

Signature

Printed name

**David R. Heckadon**

Date

**August 11, 2006**

Reg. No.

**50,184****CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as Express Mail, Express Mail Label No. EQ 353609318 US in an envelope addressed to: MAIL STOP MISSING PARTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature

Typed or printed name

**Wanda Alleje**

Date

**August 11, 2006**

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

American LegalNet, Inc.  
www.USCourtForms.com